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Cleveland-Marshall College of Law

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THE GAVEL

*He who does not increase
knowledge, decreases it.
Hillel*

The Student Newspaper of The Cleveland State University College of Law • Cleveland, Ohio
Volume 20 • Number 2 • October 1, 1971

The Gavel

TODAY & TOMORROW

In years past, *the Gavel* has been attacked as being a newspaper for the Alumni. Recently, it has been pointed out that we lack the ability to be current in our presentation of the news.

This year we will be able to rebut these criticisms with action. We plan an active publication program suited to the needs of the law school and the legal community.

First, *the Gavel* will gear itself to

our professional readers. As you may or may not know, *the Gavel* does not write entirely for the students. The judiciary, legislature and executive leaders of our state are also subscribers to *the Gavel*. With this in mind, we will become a student publication writing to the readers as well as for them.

Second, *the Gavel* will be able to put our newspaper together within 72 hours. This means that when a

feature article comes into our hands, it will be in your hands in three days.

This issue is an "In House" edition of *the Gavel* because the contributions made have been written and prepared for the students of Cleveland State University College of Law.

In future "In House" issues, we plan to print articles for the Student Bar candidates during next months election. Faculty surveys will be published in this way and we will

publish a few issues that will be something less than astonishing.

By no means has *the Gavel* gone underground. What has happened is that we shall never be accused of only touching the surface. Our law school is the "Symbol of Progress" and we will mirror this image very clearly. As our policy now stands, we see hardly any limits but the sky in our presentation of the news in a professional manner to our professional readers.

Faculty Supplemental

COURSE DESCRIPTIONS

Last month each faculty member was asked to submit a course description of the courses they will be teaching this school year. Most of the descriptions vary from the course descriptions as they appear in our law school catalog and bulletin.

Many professors feel that their comments about the courses they will be teaching can't be published in the bulletin, but strongly believe this is the course they will be teaching and the way they will be teaching it.

So here before you stand the faculty. After their pictures are the course descriptions they have prepared for you.

Most of the CSU College of Law faculty are dynamic, and progressive; all are here to educate.

ENVIRONMENTAL LAW

Emphasis on use of interdisciplinary techniques in solving environmental problems.

CONSTITUTIONAL LAW

Constitutional law also accurately describes what I think I am teaching, except for the addition, after "police power" of the following:

"limitations on use of federal and state power vis-a-vis the individual, including rights of the accused in criminal proceedings."



J. PATRICK BROWNE, Librarian & Asst. Prof. of Law (1969) B.S., John Carroll Univ.; J.D., Univ. of Detroit; M.S. in L.S., Case Western Reserve Univ.

the area of insurance and insurance law. Thereafter, each student will be assigned an aspect of insurance law, and will be required to research, prepare, and deliver not less than an hour's lecture on the subject assigned. The remaining portion of each class period will be devoted to the discussion of a particular legal problem geared to a specific insurance policy, thus giving the students experience in reading and understanding policy language. Emphasis will be placed on automobile liability insurance, but there will be excursions into the thickets of life, fire, homeowners, and health and accident insurance policies.

EQUITY

This course attempts to approach equity from the standpoint of its existence today in the "code states" where there is one form of civil action and where law and equity powers are merged in the same court. The main stress is placed upon relief in the field of torts and upon the specific performance of contracts.

APPELLATE ADVOCACY

This course will consist of approximately 9 lectures on the new Ohio Rules of Appellate Procedure and the Federal Rules of Appellate procedure, as well as techniques and strategy in writing appellate briefs and delivering oral argument. Students will be required to prepare appellate briefs for either the Court of Appeals for Cuyahoga County or the Court of Appeals for the Sixth Circuit. Preparation of briefs will be followed by oral argument.

INSURANCE LAW

This course will begin with an introductory lecture on the bibliographical materials available in



CHARLES AUERBACH, Prof. of Law (1969) B.A., J.D., Case Western Reserve Univ.; LL.M., Cleveland State Univ.

EVIDENCE

You will be required to brief and be prepared to recite and discuss each case in the light of the accompanying materials contained in the book. You will be held accountable for all material in the text to the extent of 40 pages a session.

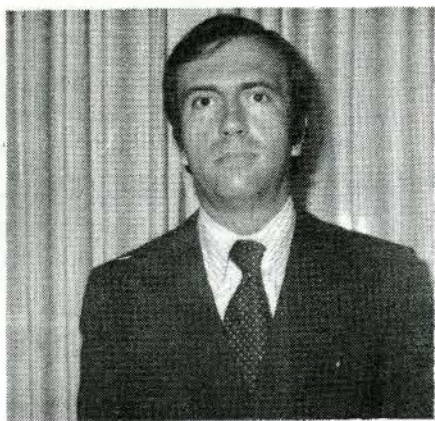
TRIAL PREP

The course bulletin prepared by the law school accurately reflects this course. For further information feel free to see me in my office.



ANN ALDRICH, Prof. of Law (1967) B. A., Columbia Univ.; J.D., LL.M., J.S.D., New York Univ.





THOMAS D. BUCKLEY, JR., Assoc. Prof of Law & Assoc. Dean (1971) A.B., Fordham Univ.; L.L.B. Yale Law School



HYMAN COHEN, Prof. of Law (1967) B.A., City College of City U. of N.Y.; J.D., LL.M., New York Univ.



FRANK D. EMERSON, Prof. of law (1967) B.A., Univ. of Akron; J.D., Case Western Reserve Univ.; LL.M., New York Univ.

LEGAL HISTORY & METHODS

This course is about the way legal rules develop over a period of time on a case-by-case basis. Students will look into why the rules develop as they do, as well as how the decision-making process works. In addition, the course will deal with techniques for law study that should be helpful in approaching all of the other courses in law school.

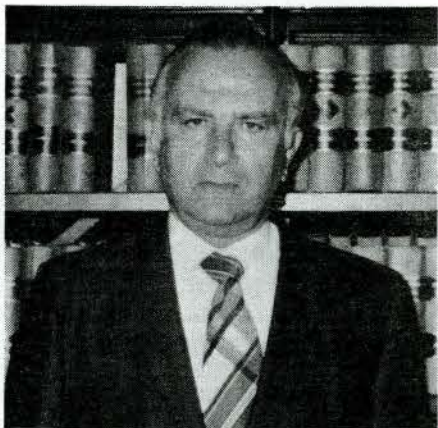
TORTS

This course includes a review and analysis of the continuing development of the basic principles of the law of Torts. From the disposition of the Tort cases, there will also be included an exploration into the legal process and method and use of law as a process of decision.

(More below)

**CORPORATIONS
INTERNATIONAL LAW
SECURITY TRANSACTIONS**

Professor Emerson said, "The law school bulletin is accurate enough. In all the courses I will teach this year, I plan on covering the entire book. We move at a fast, yet reasonable speed."



THEODORE DYKE, Assoc. Prof of Law (1964) B.S., J.D., Fordham Univ.; LL.M., New York Univ.

LABOR LAW

A study of the substantive law and practice in the field of collective bargaining and labor relations; The internal performance of unions; A study of the provisions of the National Labor Relations Act and the Labor Management Relations and Disclosure Act.

ARBITRATION

A study of the functions of labor arbitration in collective bargaining and labor relations, commerce arbitration, public sector arbitration and other areas; Arbitration procedure; arbitration awards dealing with occurring issues are studied and analyzed.

WILLS

Succession, statutes of descent and distribution, rights of spouse; Wills, testamentary capacity and intent, execution, integration, revocation; Contracts to will; Ademption, lapse, satisfaction, abatement; Will contest; Probate.



ADMINISTRATIVE LAW

A general introduction to the legal problems of the administrative process in both federal and state governments including problems dealing with delegation, judicial control of administrative action and administrative procedure. Some emphasis will be given to administrative interpretation of statutes and administrative discretion in developing public policy.

LABOR LAW

Includes an analysis of the law relating to trade unionism and collective bargaining; and exploration of the regulatory framework of labor management relations with primary emphasis devoted to agency and court interpretation of the Labor Management Relations Act.

CONTRACTS

The elements and formation of contracts; performance, breach, assignment, defenses and damages. Emphasis on the practical and fundamental influence of contracts upon all business relationships.

CIVIL PROCEDURE

The procedural art and mechanics of the analysis, preparation, pleading, and trial of a civil law suit. Implantation of the Ohio and Federal Rules of Civil Procedure in the developing legal mind.

BRIEF WRITING

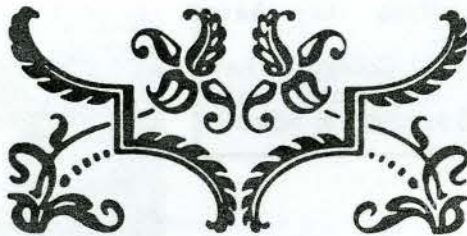
Instruction in the process of research and development of a legal proposition or argument in the form of a written legal memorandum or brief.

ACKNOWLEDGMENT

The Gavel's editors and staff wish to express our sincere gratitude to the faculty of the Cleveland State University College of Law. Without their assistance and cooperation this issue of the Gavel would not have been published.

One hundred per cent cooperation is an astonishing percentage. Thank you.

We express a sincere hope that the school year is successful for both the students and yourselves.



**THE
GAVEL**



Cleveland State University

College of Law

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The views expressed herein are those of the newspaper or its by-lined reporters and contributors, and do not necessarily reflect the views of the student body, administration, or faculty of the College of Law or The Cleveland State University unless otherwise specifically stated.



HELEN L. GAREE, Director of Research & Asst. Prof. (1966) J.D., Cleveland State Univ.

LEGAL BIBLIOGRAPHY

Legal Bibliography is a study to aid the student in becoming familiar with the use of legal material. The course will consist of lectures by myself and several movies and speakers.



DAVID B. GOSHIEEN, Assoc. Prof. of Law (1968) B.A., Brown Univ.; J.D., Univ. of Chicago

CONTRACTS

"ALL CATALOG COURSE DESCRIPTIONS LIE!"

The thinking man's introduction to law study.

The law student's introduction of thought.

A thorough examination of men's agreements, their formation and performance, interpretation, statutory safeguards and prescriptions (UCC & Restatement), breach and remedies therefore.

Law school's most basic course: "THE KILLER"

TAXATION I

Taxation I—Prof. Goshien

Introductory income taxation plus a hint of estate and gift tax outline of operation.

Emphasis upon statutory materials (IRC), administrative regulations, case decisions, history and philosophy of taxation and social utility, changes ('69 TRA) and recent developments (ADP, ADR).

Personal experience with the practical and impractical application of the basic tools of tax. A FIRST COURSE IN CODE—cuddle the Code!

ESTATE AND GIFT TAXATION

Estate and Gift Taxation—Prof. Goshien

Introduction to the problems (?) of the rich.

Success in the introductory income tax course is a pre-requisite!

How to save money by giving it away.

How to avoid giving it away and still save money.

Continued emphasis on Code, Regs, cases, social and political philosophy, recent developments and anticipated reforms.

A bread-and-butter course for the tax expert, E & G is itself required for further study and practise in Estate Planning.

ESTATE PLANNING

Estate Planning—Prof. Goshien
Getting it all together!
Success in Estate and Gift Taxation is a pre-requisite!

Wills, Trusts, Property, Future Interests, and Client Counselling conjoined with the underlying adhesive of E & G taxation designed to wrap up under one roof a single ball of wax.

Some study, success and even knowledge of the constituent subjects is needed to bring together the understanding and the tools needed by the expert planner-advisor.

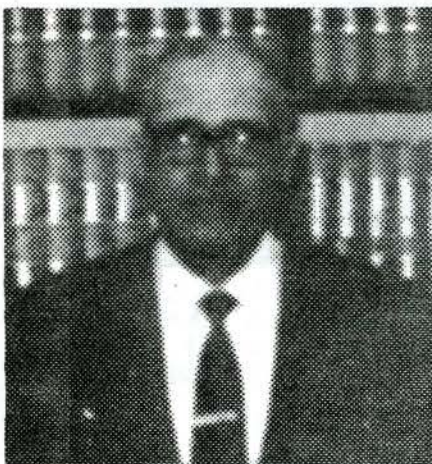


LIZABETH A. MOODY, Assoc. Prof. of Law (1970) B.A., Columbia Univ.; LL.B., Yale Univ.

COMMERCIAL LAW I

The gospel according to Karl Llewellyn, with interpolations by Ralph Nader, or the second year student looks at contracts from another angle.

Corporations: To incorporate or not to incorporate, that is the question. A how and why to do it approach to the private corporation and a critical look at the public one.



LeROY L. MURAD, Prof. of Law (1957) B.A., London Univ.; M.A., B.C.L., Oxford Univ.

Professor Murad was instrumental in the preparation of the course descriptions which appeared in the law school bulletin and catalog. He believes it is extremely current and accurate. His suggestion to the students is that they should read the College of Law Catalog for 1971.



HOWARD L. OLECK, Distinguished Prof. of Law (1956) B.A., Univ. of Iowa; J.D., New York Law School; LL.D., Cleveland State Univ.; Litt. D., John Marshall Univ.

TORTS

Injuries to, and interferences with, persons or property, including medicolegal aspects of personal injuries; intentional wrongs; unintentional injuries, with emphasis on the law of negligence and of absolute liability; defenses, privileges, societal, and special aspects of the subject. Required for graduation.

LEGAL WRITING

Conference course for research and writing of a legal article on an assigned subject. One class meeting and at least three individual conferences. High quality articles are submitted to the Law Review Board, and if published receive one additional hour of credit.

LAW REVIEW

—Distinguished Professor Oleck says: "Law Review is legal knighthood."

Conference course-program beginning in any quarter of the day student's second year and the evening student's second or third year only. Service continues on Law Review Board until graduation for full board membership and credit. Credit entered at end of student's final year, three quarter hours credit for board membership and four quarter hours credit for editor-in-chief. Maintenance of at least a 2.8 cumulative grade average and one quarter of experience as Apprentice Staff member required to be eligible for Board membership. Entry into program obtained by conferring with Law Review faculty advisor, agreement upon subject for article to be written, "publishable" completion of writing assignment in conference with instructor (faculty advisor, or one of the Advisory Committee.) Tuition covered by scholarships granted for the academic credit hours at time of entry of the grade for Law Review Board members.

NON-PROFIT

ORGANIZATIONS SEMINAR

Organizations and operation of charitable and merely non-profit enterprises, societies, trade association, foundations, civic and social groups, etc., incorporated and unincorporated, including use in connection with business enterprise planning.

About half of all organizations in the U.S. today are "non-profit" types.

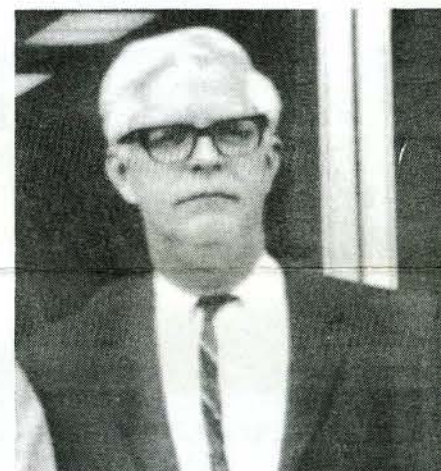


ALAN M. RUBEN, Assoc. Prof. of Law (1970) B.A., M.A., Ph.D., J.D., Univ. of Pennsylvania

AGENCY & PARTNERSHIP

Legal analysis utilizing materials from the fields of Agency and Partnership Law. The focus of the course will be upon the legal issues which arise when one person undertakes to transact business through another. Corporations

(The current catalogue accurately describes the current content of the course.)



KEVIN SHEARD, Prof. of Law (1963) B.A., Williams College; M.S., Univ. of Wisconsin; M.B.A., Xavier Univ. (Ohio); J.D., Loyola Univ. (Chicago)

CONSTITUTIONAL LAW

The Constitution, what it is and what it isn't. Constitutional Rights what they are and what they are not. The past, the present, and crystal ball readings about the future.



CARROLL H. SIERK, Prof. of Law (1968) B.B.A., J.D., St. Mary's Univ. (Tex); LL.M., Southern Methodist Univ.

(Prof. Sierk's Course Description starts on Pg. 4 Col 1)

TAXATION I.

This is the basic law school federal income taxation course. I use a modern coursebook (which includes many problems and notes as well as the traditional cases) along with the Internal Revenue Code and Income Tax Regulations in teaching the course. Usually I rely heavily upon the problems and student questions in the conduct of class sessions. Neither a degree in mathematics nor one in accounting is necessary for successful completion of the course.

TAXATION II.

This is an advanced elective course dealing with the federal income tax problems of business entities (primarily partnerships and corporations). In contrast to Taxation I, in this course I am largely concerned with the detailed understanding of a relatively small amount of difficult material rather than seeking a general understanding of a large volume.

LEGAL ACCOUNTING.

I feel this should be a background course for those students who have not taken an undergraduate course in accounting. Such students, I believe, need an understanding of some basic accounting terms and principles to prepare them for the study of the accounting elements in corporation law and federal income taxation.

PERSONAL PROPERTY

Essentially the course covers the acquisition of and loss of ownership of personal property by all sorts of means, mostly fair and a few foul.

LEGAL HISTORY AND METHODS

The Law, viewed both from Olympus and the Nether-world, with a few stops-off in between. A one-way journey in either direction you choose.



ARNOLD H. SUTIN, Asst. Prof. of Law (1968) B.A., Brooklyn College of City Univ. of N.Y.; J.D., LL.M., Brooklyn Law School; S.J.D., New York Law School

HISTORY & METHODS REAL PROPERTY

Professor Sutin would refer you to the course bulletin. He concurs with Professor Murad, "The bulletin is extremely current and accurate."

Professor Simmons' picture was not available to us by *the Gavel's* deadline.

ROBERT L. SIMMONS, Assoc. Prof. of Law (Jan. 1971) B.A., Univ. of Michigan; J.D., Cleveland State Univ.

EQUITY

An examination into modern principles and procedures governing a wide variety of judicial remedies for individual and group wrongs, including injunction and restitution. The view is national, leavened with Ohio Law variants and citations.



WILLIAM L. TABAC, Asst. Prof. of Law (1969) B.A., Case Western Reserve Univ.; J.D., Geo. Washington Univ.

COMMERCIAL LAW I (SALES)

In the beginning, a student's study of law is confined almost exclusively to appellate decisions. During the second year, the student faces another important area of legal authority, the statutes. The Uniform Commercial Code, which has been adopted in 49 of the 50 states—I leave it to your imagination to figure out which state has not adopted it—is a comprehensive statute that provides a flexible regulatory framework for transactions in goods. In that spirit, I hope to make the classroom experience in the Uniform Commercial Code a flexible one.



CARL E. WASMUTH, Adjunct Prof., B.S., M.D., Pittsburgh; J.D., Cleveland State



ALEX C. JAMIESON, M.S., Director of Placement

LAW PLACEMENT SERVICE

This office assists all law college students and graduates in locating full or part-time employment in the legal field.

It also coordinates the placement in law-related jobs all students who have been awarded Federal Work-Study grants.

Not pictured are Professors Stephen J. Werber and Harvey Leiser. Both will appear in the next issue of *the Gavel*. These faculty members were on vacation when the articles for this issue were being prepared.



SAMUEL SONENFIELD, Prof. of Law (1970) B.A., Harvard Univ.; J.D., Case Western Reserve Univ.



THE
GAVEL

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